

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CARLOS FLORES, LAWRENCE BARTLEY,  
DEMETRIUS BENNETT, L'MANI DELIMA,  
EDGARDO LEBRON, ANTONIO ROMAN,  
DONTAE QUINONES and SHAROD LOGAN,  
on behalf of themselves and all others similarly  
situated,

Plaintiffs,

**ORDER**

-against-

18 Civ. 02468 (VB)(JCM)

TINA M. STANFORD, as Chairwoman of the New  
York State Board of Parole; WALTER W. SMITH,  
As Commissioner of the New York State Board of  
Parole; SALLY THOMPSON, as Commissioner of  
the New York State Board of Parole; JOSEPH P.  
CRANGLE, as Commissioner of the New York  
State Board of Parole; ELLEN E. ALEXANDER,  
as Commissioner of the New York State Board of  
Parole; MARC COPPOLA, as Commissioner of the  
New York State Board of Parole; EDWARD  
SHAKY, as Commissioner of the New York State  
Board of Parole; TANA AGOSTINI, as  
Commissioner of the New York State Board of  
Parole; CHARLES DAVIS, as Commissioner of the  
New York State Board of Parole; CAROL SHAPIRO,  
As Commissioner of the New York State Board of  
Parole; ERIK BERLINER, as Commissioner of the  
New York State Board of Parole; OTIS CRUSE, as  
Commissioner of the New York State Board of Parole;  
TYCEE DRAKE, as Commissioner of the New York  
State Board of Parole; and CARYNE DEMOSTHENES,  
as Commissioner of the New York State Board of  
Parole,

Defendants.

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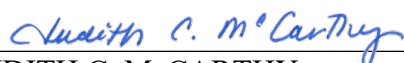
Before the Court is a letter dated August 9, 2021 from non-party Northpointe, Inc.  
(hereinafter "Northpointe") seeking an order preventing disclosure of certain materials produced  
by Northpointe to Plaintiffs Carlos Flores, Lawrence Bartley, Demetrius Bennett, L'Mani

Delima, Edgardo Lebron, Antonio Roman and Dontae Quinones' (hereinafter "Plaintiffs") expert, Dr. Cynthia Rudin (hereinafter "Dr. Rudin"). (Docket No. 205). Plaintiffs opposed the request in a letter dated August 12, 2021. (Docket No. 207). Based on the information before the Court, there is no indication that Dr. Rudin presently works for a Northpointe competitor or has ever done so, nor is there any indication that she would violate any of the protective orders in force in this action. However, in order to fully examine this issue, Plaintiffs are directed to supplement their August 12 letter, by September 14, 2021, with an affidavit from Dr. Rudin explaining the following:

- (1) the nature of any current projects and/or consulting work (past or present) by Dr. Rudin for a public or private entity, and whether Dr. Rudin profits or has profited (monetarily or otherwise) from such work;
- (2) whether Dr. Rudin has ever worked for or has plans to work for a Northpointe competitor;
- (3) whether Dr. Rudin would agree to be bound by the protective orders in this case and subject herself to this Court's jurisdiction for the purpose of enforcing or otherwise providing relief relating to these protective orders;
- (4) if permitted to review the materials at issue, whether the obligation to keep confidential (a) the normative dataset used to create and normalize COMPAS; and/or (b) the regression models for the General Recidivism Risk Scale and the Violent Recidivism Risk Scale, would interfere with Dr. Rudin's current or anticipated work or any ethical obligations; and
- (5) if permitted to review the materials at issue, what, if any, efforts Dr. Rudin would make to minimize the possibility of inadvertent disclosure of the information contained therein.

Dated: September 9, 2021  
White Plains, New York

**SO ORDERED:**

  
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JUDITH C. McCARTHY  
United States Magistrate Judge